

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X NOT FOR PUBLICATION

In re Complaint filed by

MARLON SMITH

ORDER
10-MC-97 (LB)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAR 01 2010

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BLOOM, United States Magistrate Judge:

P.M.
TIME A.M. 9

On December 14, 2009, Marlon Smith submitted a *pro se* complaint against the New York City Housing Authority, Leased Housing Department.¹ However, Smith failed to include the filing fee or a request to proceed *in forma pauperis*. By letter dated January 5, 2010, the Court's Pro Se Office informed the proposed plaintiff of the deficiency and instructed him to either pay the filing fee or request *in forma pauperis status* within 14 days from receipt of the letter in order for the civil action to be filed.

More than 30 days have elapsed and the Court has not received any response or correspondence from Smith. Therefore, this submission will not be filed and assigned a civil case number. The Clerk of Court is directed to reflect this Order on the miscellaneous docket and administratively close this *pro se* submission (attached hereto) and to mail a copy of this order to Marlon Smith at 743 Post Avenue, Staten Island NY 10310.

SO ORDERED.

Dated: February 25, 2010
Brooklyn, New York

LOIS BLOOM
United States Magistrate Judge

¹ On the same date, plaintiff filed a separate complaint against New York State Benefit which included an *in forma pauperis* application. By order dated January 7, 2010, that action was dismissed. See Smith v. New York State Benefit, No. 09-CV-5517 (NGG). The defendant named in that action is different, but the attached page setting forth his allegations is the same in this case and in the case filed under No. 09-CV-5517 (NGG).

clm